

NOTICE AND AGENDA

SUNNYVALE CITY COUNCIL
TUESDAY, APRIL 22, 2008
COUNCIL CHAMBERS, 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA

5 P.M. SPECIAL COUNCIL MEETING (Closed Session)

City Council Closed Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene to Closed Session – *The public may provide comments regarding the Closed Session item(s) just prior to the Council beginning the Closed Session. Closed Sessions are not open to the public.*
 - **Conference with real property negotiator. Property: Town Center project. Negotiating parties: Amy Chan (Redevelopment Agency), Peter Pau (Sand Hill Properties) Under negotiation: cost contribution to environmental remediation under ARDDOPA**
Contact: Amy Chan, City Manager, (408) 730-7480
4. Adjourn Special Meeting

6 P.M. SPECIAL COUNCIL MEETING (Closed Session)

City Council Closed Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene to Closed Session – *The public may provide comments regarding the Closed Session item(s) just prior to the Council beginning the Closed Session. Closed Sessions are not open to the public.*
 - **Public Employee Informal Performance Evaluation, City Manager, Pursuant to Government Code Section 54957**
4. Adjourn Special Meeting

7 P.M. REGULAR MEETING

SALUTE TO THE FLAG

ROLL CALL

(Per Council Policy, the City Council will not begin consideration of any agenda item after 11:30 p.m. without a vote. Any item on the agenda which must be continued due to the late hour shall be continued to a date certain and will be placed at the beginning of the public hearings/general business portion of the ensuing agenda. At approximately 9:30 p.m., Council will make an announcement indicating that items may not be heard after 11:30 p.m. Information provided herein could be subject to change from date of printing of the agenda to the date of the meeting.)

CLOSED SESSION REPORT FOR APRIL 22, 2008

Conference with real property negotiator. Property: Town Center project. Negotiating parties: Amy Chan (Redevelopment Agency), Peter Pau (Sand Hill Properties) Under negotiation: cost contribution to environmental remediation under ARDDOPA

CLOSED SESSION REPORT FOR APRIL 22, 2008

Public Employee Informal Performance Evaluation, City Manager, Pursuant to Government Code Section 54957

SPECIAL ORDER OF THE DAY – Earth Day Proclamation

SPECIAL ORDER OF THE DAY – Recognition of Green Businesses

PUBLIC ANNOUNCEMENTS

Each speaker is limited to three minutes for announcements of community events, programs, or recognition.

CONSENT CALENDAR

- 1.A. MOTION Approval of Draft Minutes of April 1, 2008
- 1.B. MOTION Approval of Draft Minutes of April 8, 2008
- 1.C. MOTION Approval of Information/Action Items – Council Directions to Staff

Fiscal Items

- 1.D. MOTION List of Claims and Bills Approved for Payment by the City Manager –
RTC 08–120 Lists No. 396 & 397

Staff Recommendation: Council reviews the attached lists of bills.

Staff Contact: Karen Theriault, (408) 730-7418

- 1.E. MOTION Mary Avenue Extension Project Appropriation of Revenue and Budget
RTC 08–118 Modification No. 39

Staff Recommendation: Council approves Budget Modification No. 39 to appropriate \$250,000 from the Capital Projects Fund/Traffic Mitigation Projects Sub-Fund Reserve to Project 825630 – Mary Avenue Extension Engineering/Environmental Analysis to pay VTA for services performed on the project.

Staff Contact: Jack Witthaus, (408) 730-7330

Other Items

- 1.F. RESOLUTION Adoption of Resolution to Authorize the City of Sunnyvale to Receive
MOTION Federal and State Criminal History Information for Applicants Who
RTC 08–116 Request Certain Licenses or Permits through the Department of Public
Safety to Work in the City

Staff Recommendation: Council adopts the Resolution authorizing the City of Sunnyvale to access Federal as well as State summary criminal history information for applicants of licenses and/or permits for Adult Entertainment Establishments, Massage Establishments and applicants who perform massage therapy, for applicants who own and operate taxicabs under an Exclusive Taxicab Franchise within Sunnyvale City Limits, for Pawn Brokers and applicants who have second hand dealer businesses, and Firearms Dealers.

Staff Contact: Heather Tannehill, (408) 730-7157

- 1.G. MOTION Adoption of a Work Plan for the Kaiser Hospital Access Study – Study
RTC 08–122 Issue

Staff Recommendation: Council adopts the Work Plan for the Kaiser Hospital Access Study as submitted.

Staff Contact: Jack Witthaus, (408) 730-7330

**STAFF RESPONSES TO
PRIOR PUBLIC COMMENTS**

Staff may provide further information or clarification for the community's benefit in response to public comments made at previous Council meetings. Staff will not necessarily respond to all public comments

PUBLIC COMMENTS

*This category is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the City Clerk. Individuals are limited to one appearance during this section.*

PUBLIC HEARINGS/GENERAL BUSINESS

*If you wish to speak to a public hearings/general business item, please fill out a speaker card and give it to the city clerk. You will be recognized at the time the item is being considered by Council. **Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 10 minutes for closing comments.***

2. MOTION 2007-0928 Appeal by the Applicant of a decision by the Planning
RTC 08–119 Commission denying a Variance from Sunnyvale Municipal Code Section 19.46.060 to allow one covered and one uncovered parking spaces where two covered and two uncovered parking spaces are required, in conjunction with a 400 square foot addition at the property located at 697 Lakehaven Drive (near Hiddenlake Drive) in an R-0 (Low Density Residential) Zoning District

Staff Recommendation: Council denies the appeal and upholds the decision of the Planning Commission to deny the Variance.

Staff Contact: Noren Caliva, (408) 730-7637

3. RESOLUTION Resolution for Service Contractor Code of Conduct
MOTION
RTC 08-128

Staff Contact: Councilmember Otto Lee, (408) 730-7488

4. ORDINANCE Introduction of Ordinance Amending Chapters 2.08 and 2.09 of the
MOTION Sunnyvale Municipal Code to Increase the City Manager's Contract
RTC 08–121 Award Authority from \$50,000 to \$100,000

Staff Recommendation: Council adopts the Ordinance amending Chapters 2.08 and 2.09 of the Sunnyvale Municipal Code to increase the City Manager's contract award authority from \$50,000 to \$100,000.

Staff Contact: Pete Gonda, (408) 730-7385

NON-AGENDA ITEMS & COMMENTS

- Council
- Staff

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- Approved Minutes of the Housing and Human Services Commission Meeting of February 27, 2008
- Approved Minutes of the Parks & Recreation Commission Meeting of March 12, 2008
- Draft Minutes of the Board of Library Trustees Meeting of April 7, 2008
- Study Session Summary – Review of Recruitment Plan for New City Manager

ADJOURNMENT

Notice to the Public:

The agenda reports to council (RTC's) may be viewed on the City's Web site at <http://sunnyvale.ca.gov> after 7 p.m. on Thursdays or at the Sunnyvale Public Library, 665 W. Olive Ave. as of Fridays prior to Tuesday City Council meetings. Please contact the Office of the City Clerk at (408) 730-7483 for specific questions regarding the agenda.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the Office of the City Clerk at or before the public hearing. PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure 1094.5.

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Office of the City Clerk at (408) 730-7483. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CFR 35.104 ADA Title II).

GUIDELINES FOR ADDRESSING THE CITY COUNCIL

Public Announcement – Beginning of Council Meeting

- Three minutes or less per speaker.
- Speakers are requested to give their name (address is optional).
- Recognition of a special achievement.
- Announcement of public event with definite time and date.
- Public events that are of community-wide interest that occur on an annual basis. (only announce one time).

Public Hearing – Order of Hearing as Follows:

- Opening remarks by the applicant (if applicable) are limited to 10 minutes.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Anyone interested in addressing the Council (may only speak one time).
- Closing remarks by the applicant (if applicable) are limited to 10 minutes.
- Time limit of three minutes per person (may be extended at discretion of mayor). Please make comments brief and be prepared to provide new input.

Public Comments

- Any item relevant to the City of Sunnyvale.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Items not on the agenda.
- Items that do not fall within the scope of the public announcement section.
- This category is limited to 15 minutes (may be extended or continued after the public hearing/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda, you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the city clerk. Individuals are limited to one appearance during this section.

Planning a presentation for a City Council/Planning Commission meeting?

To assist you in utilizing the technology available in the Council Chambers, the publication "*How to Make Your Council Chambers Presentation More Effective*" may be helpful. Copies are available on the tables located at the back of the Council Chambers prior to scheduled City Council and Planning Commission meetings. You may also pick up a copy at the Office of the City Clerk or visit the City's Web site at <http://sunnyvale.ca.gov>.

Planning to present materials to Council?

If you wish to provide the City Council with copies of your presentation materials, **please provide 12 copies of the materials to the city clerk** (located to the left of the Council dais). The city clerk will distribute your items to the Council.

SCHEDULED COUNCIL MEETINGS

DATE	MEETING	TIME	PLACE
April 22, 2008	Council Meeting	7 p.m.	Council Chambers
April 29, 2008	Council Meeting	7 p.m.	Council Chambers
May 6, 2008	Council Meeting	7 p.m.	Council Chambers
May 13, 2008	Council Meeting	7 p.m.	Council Chambers
May 23, 2008	City Manager's Recommended Budget Workshop	8:30 p.m.	Council Chambers
June 3, 2008	Council Meeting	7 p.m.	Council Chambers
June 10, 2008	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

April 28, 2008	Planning Commission Study Session	7 p.m.	West Conf. Room
April 28, 2008	Planning Commission Public Hearing	8 p.m.	Council Chambers
April 30, 2008	Administrative Hearing	2 p.m.	West Conf. Room
May 5, 2008	Board of Library Trustees	7 p.m.	Council Chambers
May 7, 2008	Heritage Preservation Commission	7 p.m.	West Conf. Room
May 12, 2008	Planning Commission Study Session	7 p.m.	West Conf. Room
May 12, 2008	Planning Commission Public Hearing	8 p.m.	Council Chambers
May 14, 2008	Parks and Recreation Commission	7 p.m.	Council Chambers
May 14, 2008	Administrative Hearing	2 p.m.	West Conf. Room
May 15, 2008	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conf. Room
May 19, 2008	Personnel Board	5 p.m.	Council Chambers
May 21, 2008	Arts Commission	7 p.m.	Council Chambers
May 28, 2008	Housing & Human Services Commission	7 p.m.	West Conf. Room
June 11, 2008	Parks and Recreation Commission	7 p.m.	Council Chambers
June 18, 2008	Arts Commission	7 p.m.	Council Chambers
July 9, 2008	Parks and Recreation Commission	7 p.m.	Council Chambers
July 16, 2008	Arts Commission	7 p.m.	Council Chambers

CHANNEL 15 – KSUN

April 22, 2008	City Council Meeting – Live	7 p.m.
April 23, 2008	City Council Meeting – Replay of April 22, 2008	7 p.m.
April 27, 2008	City Council Meeting – Replay of April 22, 2008	4 p.m.
April 29, 2008	City Council Meeting – Live	7 p.m.
April 30, 2008	City Council Meeting – Replay of April 29, 2008	7 p.m.
May 4, 2008	City Council Meeting – Replay of April 29, 2008	4 p.m.
May 6, 2008	City Council Meeting – Live	7 p.m.
May 7, 2008	City Council Meeting – Replay of May 6, 2008	7 p.m.
May 11, 2008	City Council Meeting – Replay of May 6, 2008	4 p.m.
May 13, 2008	City Council Meeting – Live	7 p.m.
May 14, 2008	City Council Meeting – Replay of May 13, 2008	7 p.m.
May 18, 2008	City Council Meeting – Replay of May 13, 2008	4 p.m.
May 23, 2008	City Council Meeting – Live	8:30 a.m.
May 24, 2008	City Council Meeting – Replay of City Manager's Recommended Budget Workshop on May 23, 2008	8:30 a.m.
May 28, 2008	City Council Meeting – Replay of City Manager's Recommended Budget Workshop on May 23, 2008	8:30 a.m.
June 3, 2008	City Council Meeting – Live	7 p.m.
June 4, 2008	City Council Meeting – Replay of June 3, 2008	7 p.m.
June 8, 2008	City Council Meeting – Replay of June 3, 2008	4 p.m.
June 10, 2008	City Council Meeting – Live	7 p.m.
June 11, 2008	City Council Meeting – Replay of June 10, 2008	7 p.m.
June 15, 2008	City Council Meeting – Replay of June 10, 2008	4 p.m.